THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.14347 of 2006

Dated:14.07.2006

Between:

Katkar Pratap S/o Ramachander,
R/o H.No.9-10-148/A (New), (9-10-136 old)
Viswakarma Street, Girmojipet, Warangal.

..... PETITIONER

AND

The Municipal Corporation of Warangal,
rep., by its Commissioner, S.V.N.Road, Warangal
and another.

.....RESPONDENTS

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ORDER:

Heard the counsel for the petitioners, and Sri V.Durga Nageswara Rao, the learned Standing Counsel appearing for the first respondent, and also Sri C.Narendra, the learned counsel appearing for the second respondent.

2. The writ petition is filed for a Writ of Mandamus declaring the action of the respondents in putting red mark to the premises of the petitioners' house baring No.9-10-148/A and 9-10-148 situated at Viswakarma Street, Girmojipet, Warangal, for the purpose of demolition of the building and threatening to demolish the building without initiating the proceedings under the Land Acquisition Act and without paying compensation as illegal, arbitrary and contrary to the principles of natural justice and violative of Articles 14, 21 and 300-A of the Constitution of India, and consequently direct the respondents not to cause any loss or damage to the premises in question and pass such other suitable orders.

3. The main grievance of the petitioners is that without following due process of law the respondents are making serious attempts to carry out the demolition activity.

4. It is needless to say that the respondents are bound to follow the due process of law before taking up the demolition activity.

5. In that view of the matter, the writ petition is disposed of with a direction to the respondents not to carry out any demolition activity, in respect of the premises in question, without following due process of law. No order as to costs.

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14.07.2006

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